REMARKS

Based upon entry of Applicants' Amendment After Final Rejection dated August 25, 2003, Claims 1, 3-14, 16-19 and 22-36 were in prosecution, with Claim 1 being independent.

Applicants have amended Claims 6, 7 and 9 to remove any perceived reference to metallocene salts and to correct the reference to a typographical error with respect to the recited halogens. Applicants have also cancelled Claims 27-29 and 36, thereby removing claims that specify viscosity of the composition.

As such, Claims 1, 3-14, 16-19, 22-26, and 30-35 remain in prosecution.

Applicants have considered the Examiner's comments in the Advisory Action, and provide the following remarks thereon.

Applicants grateful the acknowledge the indication that the Section 112 rejections of Claim 23 has been overcome by the Amendment After Final Rejection.

Applicants also grateful the acknowledge that Claims 1, 4-7, 11-14, 16-26 and 28-34 are considered to recite allowable technology, because the proposed amendment to Claim 1 introduced in the Amendment After Final Rejection

renders the composition according to the Examiner commensurate in scope with the evidence of unexpected results in the Declaration of Shabbir Attarwala previously submitted.

As regards the continued rejection of Claims 27 and 36 under Section 103, Applicants have canceled those claims herein, rendering their rejection moot.

Applicants submit concurrently herewith a Terminal Disclaimer to overcome the obviousness-type double patenting rejections.

Applicants confirm that their submission of the Declaration of Shabbir Attarwala shows that a sulfur-containing compound embraced by the present invention together with polymethylmethacrylate provides improved shelf life stability.

The '944 patent, contrary to what the Examiner has asserted at page 3 of the Action, does not speak to thermal cure. Rather reference to elevated temperature conditions in the '944 patent at the cited passage relates to thermal analysis -- that is, how well cured products of the composition of the '944 patent perform. That passage does not refer to curing such compositions using elevated temperature. In fact, column 5, lines 60-61 refer to mixing of the pre-polymerized cyanoacrylate polymer and the additive (the sulfur-containing compound).

Applicants have also amended Claims 7 and 8 to remove any perceived reference to salts of metallocenes, thereby further distinguishing Gatechair, which is non-analogoius art.

Gatechair discloses, as the Action points out, cationically polymerizable materials. Mikune specifies curing by an anionic mechanism (see the EP '721 patent publication, page 24, lines 6-9). There is thus no motivation given in either Mikune or Gatechair to look to the other for curing by the mode disclosed by the other. Nor would there be reason to expect their combination would lead to success.

In addition, Gatechair's reference to ferrocenium salts is misplaced, as such ferrocenium salts are well-known cationic photoinitators; they are not however the metallocenes set forth in the subject application. The ferrocenium salts of Gatechair are themselves electron-deficient and not comparable to the metallocenes set forth in the subject application, such as ferrocene, which is a neutral, non-salt compound.

Further, photoinitiated anionic polymerization requires photogeneration of a nucleophilic, electron-rich initiating species, whereas cationic species, such as Gatechair's ferrocenium salts, are known to retard, if not prevent, polymerization of cyanoacrylates.

Mikune (in the '180 patent) discloses the use of metal complexes, which release a nucleophilic agent (see abstract and col. 3, lines 31-32). Accordingly, one of ordinary skill would not be motivated to combine the teachings of Mikune with those of Gatechair on the use of ferrocenium salts, which are known to release electrophilic agents on exposure to radiation in the electromagnetic spectrum. In this sense, Gatechair teaches away from Mikune (thus, no motivation to combine), as it does from the invention as claimed.

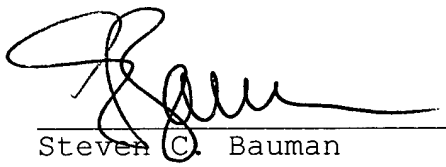
Thus, Gatechair, which speaks to ferrocenium salts in the context of free radical cure of (meth)acrylates, cannot be considered analogous art to cyanoacrylate based teachings with reference to the claims as they are presented herein.

CONCLUSION

In view of the above, favorable reconsideration and passage to issue of the present case are respectfully requested.

Applicants' undersigned attorney may be reached by telephone at (860) 571-5001, by facsimile at (860) 571-5028, or by email at steve.bauman@loctite.com. All correspondence should continue to be directed to the address given below.

Respectfully submitted,



Steven C. Bauman
Attorney for Applicants
Registration No. 33,832

HENKEL LOCTITE CORPORATION
Legal Department
1001 Trout Brook Crossing
Rocky Hill, Connecticut 06067

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